

HOUSE BILL No. 1492

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-26.

Synopsis: Regional waste districts. Permits a regional water, sewage, or solid waste district to increase its board of trustees to 13 members. Permits department of correction representation on the board of trustees of a district in which a state correctional facility is located.

Effective: July 1, 2003.

Reske, Weinzapfel, Ayres, Heim

January 15, 2003, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1492

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-26-1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) At any time after
3 the creation of a district, the district, after motion by the district's board,
4 may file a petition with the department requesting the approval of the
5 department permitting the district to:

6 (1) increase or add to the district's purposes or modify the district
7 plan approved by the department; ~~or~~

8 (2) abandon or surrender all or part of a purpose or plan approved
9 by the department; **or**

10 **(3) subject to IC 13-26-4-1, increase the number of persons**
11 **serving on the board of trustees.**

12 (b) The department may:

13 (1) approve;

14 (2) modify and approve; or

15 (3) reject;

16 a request received under this section.

17 SECTION 2. IC 13-26-4-1 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. The board of trustees
 2 of a district is the governing body of the district. A board may consist
 3 of:

- 4 (1) three (3);
- 5 (2) five (5);
- 6 (3) seven (7); ~~or~~
- 7 (4) nine (9); **or**
- 8 **(5) thirteen (13);**

9 trustees.

10 SECTION 3. IC 13-26-4-4 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. **(a)** If:

- 12 (1) a district will include territory in more than one (1) county;
- 13 (2) a county executive has filed a petition for a district including
- 14 territory owned, leased, or controlled by the department of natural
- 15 resources; or
- 16 (3) the department of natural resources has filed a petition;
- 17 the order establishing the district may provide that the governor
- 18 appoints any number of trustees, but less than one-half (1/2) of the
- 19 total.

20 **(b) If a district contains or a proposed district will contain a**
 21 **state correctional facility, the department, when:**

- 22 **(1) issuing an order establishing the district under**
- 23 **IC 13-26-2-10; or**
- 24 **(2) approving or modifying a petition filed by the district's**
- 25 **board of trustees under IC 13-26-1-2;**

26 **may allow for the appointment of one (1) member of the board of**
 27 **trustees of the district by the commissioner of the department of**
 28 **correction.**

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